



**U.S. Department of Justice**

*United States Attorney*

*Eastern District of Virginia*

*Paul J. McNulty*

*United States Attorney*

*2100 Jamieson Avenue*

*Alexandria, Virginia 22314*

*(703)299-3700*

*Fax: 703-549-5202*

## **NEWS RELEASE**

**FOR IMMEDIATE RELEASE**

**ALEXANDRIA, VIRGINIA**

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**For Further Information Contact**

**Sam Dibbley 703-842-4050**

United States Attorney Paul J. McNulty announced that Oral O. Suer, age 69 of Alexandria, Virginia, the former Executive Vice President of United Way of the National Capital Area (UWNCA), pled guilty today before the Honorable Gerald Bruce Lee, United States District Court Judge, to a two-count criminal information charging interstate transportation of stolen money and making a false statement and concealing facts in relation to an employee retirement plan. Suer, who will be sentenced on May 14, 2004, could receive a maximum sentence of 15 years in prison and a \$500,000 fine.

From 1974 until his retirement in January 2001, Suer was Executive Vice President of the UWNCA. In that position, he served as the chief executive officer of UWNCA, and managed the day-to-day operations of the charity. He reported only to the Board of Directors of UWNCA. Suer admitted defrauding UWNCA from 1980 until his retirement in 2001. He accomplished his scheme by arranging for UWNCA to pay many of his personal expenses, obtaining payment for purportedly unused annual leave which he had not earned, and making an unauthorized withdrawal from UWNCA's pension plan.

Mr. McNulty said, "Oral Suer violated the trust of the United Way and the citizens of the Metropolitan area by stealing money intended to help the needy in our community. This conviction reflects the determination of the UWNCA, and this office, to ensure the integrity of the local United Way. Contributors have a right to know their donations will be used for the purposes to which they are intended."

Suer routinely arranged for UWNCA to pay his personal expenses, such as trips for he and his family, repairs to his personal automobiles claimed as repairs to the UWNCA business car, and restaurant bills. He would frequently submit credit card receipts from which he had removed the top portion that identified the vendor and the true nature of the purchase. Investigation of his expense account records found \$70,000.00 of fraudulent payments to Suer from 1997 through 2001.

Suer routinely directed that he be paid for unused annual leave. He accomplished this by exploiting a policy that he was the only employee of UWNCA who would be permitted to maintain his own leave records, and then directing that he be paid for leave which he had not earned.

In 1999, Suer secretly made an unauthorized lump sum in-service withdrawal of \$1,567,570.41 from UWNCA's defined benefit pension plan. The defendant was eligible to retire from UWNCA in 1999, but could not take the lump sum without actually retiring. Instead of retiring, Suer submitted a statement to the plan administrator falsely claiming that he was retiring in 1999 and received a lump sum payment. In fact, the defendant did not actually retire until 2001, when he received a second lump sum distribution of \$55,648.61. As a result of Suer's false claim of retirement in 1999, he received \$94,278.98 more from the pension plan than he would have been paid if he had received only the single lump sum distribution to which he was entitled when he actually retired in 2001.

"Our cooperative actions send a clear message that the federal government will not tolerate misuse of retirement assets and we will aggressively prosecute violators to the full extent of the law," said Mabel Capolongo, Director of the Philadelphia Regional Office of the Labor Department's Employee Benefits Security Administration.

In all, Suer defrauded UWNCA of \$497,278.98 and is obligated to make restitution in that amount to the UWNCA and the pension plan as part of his plea agreement with the United States.

The investigation was conducted by the Federal Bureau of Investigation, Office of Inspector General of the Office of Personal Management, and the Employees Benefits Security Administration of the U. S. Department of Labor. Integral to the successful investigation and prosecution of this case has been the extensive assistance and complete cooperation of the United Way of the National Capital Area, who were the victims of this scheme during the years Suer served as Executive Vice President. Prosecuting this case for the United States is Assistant United States Attorney Robert W. Wiechering.

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